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(Original Signature of Member)

110TH CONGRESS
1ST SESSION

H. R. _____

To amend title XXI of the Social Security Act to make available additional amounts to address the funding shortfalls in the State Children's Health Insurance Program for fiscal year 2007.

IN THE HOUSE OF REPRESENTATIVES

Mr. BARTON of Texas (for himself and Mr. DEAL of Georgia) introduced the following bill; which was referred to the Committee on

A BILL

To amend title XXI of the Social Security Act to make available additional amounts to address the funding shortfalls in the State Children's Health Insurance Program for fiscal year 2007.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Guaranteed Access for
5 SCHIP's Target Population Act of 2007".

1 **SEC. 2. ADDITIONAL ALLOTMENTS TO ADDRESS SCHIP**
2 **FUNDING SHORTFALLS FOR FISCAL YEAR**
3 **2007.**

4 (a) IN GENERAL.—Section 2104(h) of the Social Se-
5 curity Act (42 U.S.C. 1397dd(h)), as added by section
6 201(a) of the National Institutes of Health Reform Act
7 of 2006 (Public Law 109–482), is amended—

8 (1) in the heading for paragraph (2), by strik-
9 ing “REMAINDER OF REDUCTION” and inserting
10 “PART”;

11 (2) by redesignating paragraphs (4) through
12 (7) as paragraphs (5) through (8), respectively; and

13 (3) by inserting after paragraph (3), the fol-
14 lowing:

15 “(4) ADDITIONAL ALLOTMENTS TO ADDRESS
16 FISCAL YEAR 2007 FUNDING SHORTFALLS.—

17 “(A) ALLOTMENT AUTHORITY.—From the
18 amount made available under subparagraph (F)
19 for additional allotments under this paragraph,
20 subject to subparagraphs (C) and (D), the Sec-
21 retary shall allot to each remaining shortfall
22 State described in subparagraph (B) such
23 amount as the Secretary determines will elimi-
24 nate the estimated shortfall described in such
25 subparagraph for the State for fiscal year 2007.

1 “(B) REMAINING SHORTFALL STATE DE-
2 SCRIBED.—For purposes of subparagraph (A),
3 a remaining shortfall State is a State with a
4 State child health plan approved under this title
5 for which the Secretary estimates, on the basis
6 of the most recent data available to the Sec-
7 retary as of the date of the enactment of this
8 paragraph, that the projected Federal expendi-
9 tures under such plan for the State for fiscal
10 year 2007 will exceed the sum of—

11 “(i) the amount of the State’s allot-
12 ments for each of fiscal years 2005 and
13 2006 that will not be expended by the end
14 of fiscal year 2006;

15 “(ii) the amount of the State’s allot-
16 ment for fiscal year 2007; and

17 “(iii) the amounts, if any, that are to
18 be redistributed to the State during fiscal
19 year 2007 in accordance with paragraphs
20 (1) and (2).

21 “(C) EXPENDITURE RULES.—

22 “(i) COVERAGE ONLY FOR POPU-
23 LATIONS ELIGIBLE ON OCTOBER 1, 2006.—
24 Subparagraph (A) of paragraph (5) shall
25 apply to the expenditure of amounts allot-

1 ted to remaining shortfall States under
2 this paragraph in the same manner as
3 such subparagraph applies to the expendi-
4 ture of amounts redistributed under para-
5 graphs (1) and (2) of this subsection.

6 “(ii) COVERAGE ONLY FOR CHILDREN
7 OR PREGNANT WOMEN WITH INCOME THAT
8 DOES NOT EXCEED 200 PERCENT OF POV-
9 ERTY.—A remaining shortfall State shall
10 use amounts allotted under this paragraph
11 only for expenditures for providing child
12 health assistance or other health benefits
13 coverage to an individual who is a child or
14 pregnant woman who is eligible for such
15 assistance or coverage under the State
16 child health plan and whose family income
17 does not exceed 200 percent of the poverty
18 line for a family of the size involved. For
19 purposes of the preceding sentence, a
20 child’s or pregnant woman’s family income
21 shall be determined solely on the basis of
22 adjusted gross income and without regard
23 to any income or resource methodologies
24 applied under the State child health plan

1 for purposes of determining eligibility
2 under such plan.

3 “(D) PRORATION RULE.—If the amount
4 available under subparagraph (F) is less than
5 the total amount of the estimated shortfalls de-
6 termined by the Secretary under subparagraph
7 (A), the amount of the estimated shortfall for
8 each remaining shortfall State determined
9 under such subparagraph shall be reduced pro-
10 portionally.

11 “(E) RULE OF CONSTRUCTION.—Nothing
12 in this subparagraph shall be construed as pro-
13 hibiting a State from using non-Federal funds
14 to provide child health assistance or other
15 health benefits coverage for individuals who are
16 not described in subparagraph (C)(ii) and para-
17 graph (5)(A) and are otherwise eligible for such
18 assistance or coverage under the State child
19 health plan.

20 “(F) APPROPRIATION; ALLOTMENT AU-
21 THORITY.—For the purpose of providing addi-
22 tional allotments to remaining shortfall States
23 under this paragraph there is appropriated, out
24 of any funds in the Treasury not otherwise ap-

1 appropriated, \$750,000,000 for fiscal year
2 2007.”.

3 (b) ADDITIONAL CONFORMING AMENDMENTS.—Sec-
4 tion 2104(h) of such Act (42 U.S.C. 1397dd(h)) (as so
5 added), is further amended—

6 (1) in paragraph (1)(B), by striking “para-
7 graph (4)(B)” and inserting “paragraph (5)(B)”;

8 (2) in paragraph (2)—

9 (A) in subparagraph (A), by striking
10 “paragraph (5)(B)” and inserting “subpara-
11 graph (6)(B)”;

12 (B) in subparagraph (B), by striking
13 “paragraph (4)(B)” and inserting “paragraph
14 (5)(B)”

15 (3) in paragraph (6)(A) (as redesignated by
16 subsection (a)(2)), by striking “and (3)” and insert-
17 ing “(3), and (4)”;

18 (4) in paragraph (7) (as so redesignated)—

19 (A) in the first sentence—

20 (i) by inserting “or allotted” after
21 “redistributed”; and

22 (ii) by inserting “or allotments” after
23 “redistributions”; and

24 (B) in the second sentence, by striking
25 “and (3) in accordance with paragraph (5)”

1 and inserting “(3), and (4) in accordance with
2 paragraph (6)”.

3 **SEC. 3. ELIMINATION OF STATE OPTION TO INCREASE CAP**
4 **AMOUNT ON INDIVIDUALS’ EQUITY ASSET**
5 **TEST FOR ELIGIBILITY FOR LONG-TERM**
6 **CARE ASSISTANCE UNDER MEDICAID.**

7 (a) IN GENERAL.—Section 1917(f)(1) of the Social
8 Security Act (42 U.S.C. 1396p(f)(1)) is amended by strik-
9 ing subparagraph (B).

10 (b) CONFORMING AMENDMENTS.—Such section is
11 further amended—

12 (1) in subparagraph (A), by striking “subpara-
13 graphs (B) and (C)” and inserting “subparagraph
14 (B)”;

15 (2) by redesignating subparagraph (C) as sub-
16 paragraph (B); and

17 (3) in subparagraph (B), as so redesignated, by
18 striking “dollar amounts” and inserting “dollar
19 amount”.

20 (c) EFFECTIVE DATE.—The amendments made by
21 this section shall apply to individuals who are determined
22 eligible for medical assistance with respect to nursing fa-
23 cility services or other long-term care services based on
24 an application filed on or after the date of the enactment
25 of this section.